

## DECLARATION BY INVENTORS

Each of the below named inventors, hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention,

Entitled: OPTIMIZED INTERNET ADVERTISING USING HISTORY TO SELECT SITES

Docket Number: EWG-079,  
the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specifications, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made, with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

CLAIM OF PRIORITY BASED ON FOREIGN APPLICATIONS: NONE

CLAIM OF PRIORITY BASED ON PREVIOUSLY FILED U.S. APPLICATIONS: NONE

Heidi Kay                      USA  
Inventor name                      Citizenship

*Heidi Kay*                      12/14/98  
Signature                      Date

2025 Francisco Street, Apt. I, Berkeley, CA 94709  
Post Office Address and Residence

Russell Fradin                      USA  
Inventor name                      Citizenship

*Russell Fradin*                      12/14/98  
Signature                      Date

3600 Fillmore St. Apt. 303, San Francisco, CA 94123  
Post Office Address and Residence

3600 Fillmore St. Apt. 303, San Francisco, CA 94123

## POWER OF ATTORNEY

Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

FLYCAST COMMUNICATIONS CORP. is the assignee of the invention:

Entitled: OPTIMIZED INTERNET ADVERTISING USING HISTORY TO SELECT SITES

Docket: EWG-079

the specification of which is being filed herewith.

FLYCAST COMMUNICATIONS CORP., as assignee, hereby appoints the following attorney to prosecute this application and to transact all business connected therewith in the U. S. Patent and Trademark Office.


<u>Name</u>	<u>Reg. No.</u>
Elmer W. Galbi	19,761

Send all correspondence to:

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Lake Oswego, OR, 97035

Direct telephone calls to: Elmer W. Galbi 503-697-7844

Date: 12/15/98

  
Larry Braitman  
FLYCAST COMMUNICATIONS CORP.  
Vice President

# CLAIM OF SMALL ENTITY STATUS

## VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: FLYCAST COMMUNICATIONS CORP.

ADDRESS OF CONCERN: 181 Fremont St.,  
San Francisco, CA 94105

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that the rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention:

Entitled: OPTIMIZED INTERNET ADVERTISING USING HISTORY TO SELECT SITES

By inventors: Heidi Kay and Russell Fradin

Docket: EWG-079

described in the specification filed herewith.

No rights to the invention are held by any person who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

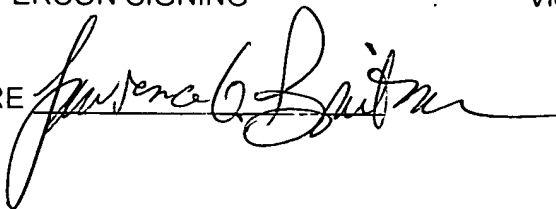
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Larry Braitman

TITLE OF PERSON SIGNING : Vice President

SIGNATURE



DATE: 12/15/98

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